

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-FIRST
LEGISLATURE
2003**

CHAPTER 1

H.P. 433 - L.D. 570

**An Act To Eliminate a Defunct
Account in the Department of
Agriculture, Food and Rural
Resources**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, in January 1995 the Legislature repealed statutory authority for the Maine Dairy Farm Stabilization Fund; and

Whereas, the repeal legislation did not provide for the disposition of the funds remaining on account; and

Whereas, the outlook for the economy of the State and the revenue projections for State Government require prompt action; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. State funds eliminated. Notwithstanding any other provision of law, the State Controller shall merge with the General Fund unappropriated surplus the balance remaining in the Other Special Revenue Dairy Farm Stabilization Fund within the Department of Agriculture, Food and Rural Resources pursuant to the Maine Revised Statutes, Title 5, section 1508.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 20, 2003.

CHAPTER 2

S.P. 202 - L.D. 593

**An Act To Provide Temporary
Emergency Relief to Maine Dairy
Farmers**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the producer price of milk has dropped to 20-year lows; and

Whereas, these prices jeopardize the viability of the Maine dairy industry; and

Whereas, the Maine dairy industry is essential to the State's rural economy and communities and generates business activity and preserves open space; and

Whereas, the stabilization of the dairy industry during temporary price drops constitutes a public purpose and an appropriate expenditure of state revenues; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer to the Maine Milk Pool as established by the Maine Revised Statutes, Title 7, section 3153 \$500,000 from the unallocated cash balance of the Maine Milk Commission.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

Maine Milk Pool

Initiative: Provides for a one-time appropriation of funds to be transferred to the Maine Milk Pool.

General Fund	2002-03	2003-04
All Other	\$225,000	\$0
General Fund Total	<u>\$225,000</u>	<u>\$0</u>

Initiative: Provides for the allocation of funds to carry out the provisions of this Act. The funds must be distributed no later than April 2003 equally to all Maine dairy farmers in accordance with their production.

Other Special Revenue Funds		
All Other	\$725,000	\$0
Other Special Revenue Funds Total	<u>\$725,000</u>	<u>\$0</u>

AGRICULTURE, FOOD AND RURAL RESOURCES DEPARTMENT OF DEPARTMENT TOTALS	2002-03	2003-04
GENERAL FUND	\$225,000	\$0
OTHER SPECIAL REVENUE FUNDS	<u>725,000</u>	<u>\$0</u>
DEPARTMENT TOTAL - ALL FUNDS	<u>\$950,000</u>	<u>\$0</u>

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 20, 2003.

CHAPTER 3

S.P. 62 - L.D. 139

An Act to Authorize the Town of Medway to Sell Certain Land

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1875, c. 57, §4, as enacted by P&SL 1991, c. 101, §1 and repealed by §3, is reenacted to read:

Sec. 4. The Town of Medway is authorized to sell or lease, with the approval of a majority of the voters, any real estate that the town owns. Any funds received from the sale of ministerial lands designated for a particular use must be used for the purposes originally designated.

Sec. 2. Repeal. This Act is repealed on January 1, 2013.

See title page for effective date.

CHAPTER 4

H.P. 95 - L.D. 86

An Act To Amend the Charter of the Eastport Port Authority

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1977, c. 14, §1, 3rd and 4th ¶¶, as amended by P&SL 1993, c. 82, §1, are further amended to read:

The city manager of Eastport, the president of the Eastport city council and a representative appointed by the Department of Transportation shall be directors as long as they hold their respective offices, and their successors shall be directors while they hold the respective offices. The other 4 directors must be residents of Eastport, as defined by the registrar of voters for voting purposes, and must be elected by a majority of the legal voters voting at an election, for a term of 4 years, in the same manner and at the same time as Eastport city councilors, except that at the first election under this section, one director is elected for one year, one for 2 years, one for 3 years and one for 4 years. Directors begin their terms of office January 1st and serve until their successors are duly elected and qualified.

Vacancies of elected directors that may occur by death, resignation or otherwise are filled by appointment of the city council, until a successor is elected at the next election of directors in the same manner and at the same time as Eastport city councilors to fulfill the remainder of the term.

See title page for effective date.

CHAPTER 5

S.P. 272 - L.D. 793

An Act To Revise the Boundary between the Town of Harrison and the Town of Bridgton

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Town of Harrison needs a boundary change to take place as soon as possible so that it may adopt a mooring ordinance in time for summer boating activities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following